

## REMARKS

The present amendment is in response to the Office Action mailed March 9, 2010, in which Claims 25-38 were allowed, Claims 39-41 were rejected and Claims 42-44 were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and, when coupled with the above amendments, are believed to render the claims at issue patentably distinguishable over the cited reference.

Claims 25-41 and 43-44 remain pending. Claim 42 is cancelled. Claim 39 is amended. Applicant respectfully submits that no new matter has been added and that the originally filed specification, drawings, and claims support the amendments.

It is respectfully submitted that the Amendment be entered after final rejection under 37 CFR §1.116, as it merely accepts allowable subject matter, cancels claims and complies with requirements of form set forth in the Office Action.

### **1. Allowable Subject Matter**

Claims 25-38 stand allowed. Claims 42-44 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant accordingly has respectively rewritten Claim 39 to include all of the features of allowable claim 42. Applicant respectfully submits that claim 39 is now

allowable, and that claims 40, 41, 43 and 44 dependent therefrom are therefore also allowable. It is therefore respectfully requested that the objection be withdrawn.

## **2. Claim rejections - 35 U.S.C. 103**

Claim 39 was rejected under 35 U.S.C. § 103(a) as being obvious over Kawa et al. (JP 2002-297309) in view of Cho (US6219038). Claim 40 is rejected under 35 U.S.C. § 103(a) as being obvious over Kawa et al. (JP 2002-297309) in view of Cho (US6219038) and further in view of Garner (US 6501462). Claim 41 is rejected under 35 U.S.C. § 103(a) as being obvious over Kawa et al. (JP 2002-297309) in view of Cho (US6219038) and further in view of Gettemy et al. (US7348964). These rejections are each respectfully traversed.

Claim 39 now incorporates the features of allowable claim 42, and the Office Action admits that the cited art does not teach or suggest the features of claim 42 and states the reasons therefor in the Statement of Reasons for Allowance.

Claims 40 and 41 depend on claim 39 and are similarly patentable. Thus, it is respectfully submitted that these claims are in condition for allowance.

In view of the foregoing, Applicant respectfully submits that claim 39 defines over the cited references and request withdrawal of the rejection under 35 U.S.C. §103. Further, Applicant respectfully submits that the arguments made above apply equally to Claims 40, 41, 43 and 44 which depend from Claim 39, and which also define over the cited art.

Having overcome the rejections in the Office Acton, withdrawal of the rejections and expedited passage of the application to issue are requested.

## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 18-0002, and advise us accordingly.

Respectfully submitted,



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Date

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